

FORM PTO-1390 (Modified)
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

33,350 P

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/508913

INTERNATIONAL APPLICATION NO.
PCT/US98/19145INTERNATIONAL FILING DATE
SEPTEMBER 15, 1998PRIORITY DATE CLAIMED
SEPTEMBER 19, 1997

TITLE OF INVENTION

ATTENUATED RESPIRATORY SYNCYTIAL VIRUSES

APPLICANT(S) FOR DO/EO/US

STEPHEN A. UDEM, MOHINDERJIT S. SIDHU, VALERIE B. RANDOLPH

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☒ Certificate of Mailing by Express Mail
20. ☒ Other items or information: Declaration of Alan M. Gordon re Deposits

CERTIFICATION UNDER 37 C.F.R. 1.10

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL251674792US addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

March 16, 2000

Date

Alan M. Gordon

Alan M. Gordon

09508913 04500

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.492 (a)(1) - (5)) 09/508	INTERNATIONAL APPLICATION NO. PCT/US98/19145	ATTORNEY'S DOCKET NUMBER 33,359-01P
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21. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$970.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$840.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$690.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY	
				\$840.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	11 - 20 =	0	x \$18.00	\$0.00	
Independent claims	8 - 3 =	5	x \$78.00	\$390.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$1,230.00	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input type="checkbox"/>				\$0.00	
SUBTOTAL =				\$1,230.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$0.00	
TOTAL NATIONAL FEE =				\$1,230.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				\$0.00	
TOTAL FEES ENCLOSED =				\$1,230.00	
				Amount to be:	
				refunded	\$
				charged	\$

☐ A check in the amount of _____ to cover the above fees is enclosed.

☒ Please charge my Deposit Account No. **01-1300** in the amount of **\$1,230.00** to cover the above fees.
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **01-1300** A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

ALAN M. GORDON
PATENT LAW DEPARTMENT - 2B
AMERICAN HOME PRODUCTS CORPORATION
ONE CAMPUS DRIVE
PARSIPPANY, NEW JERSEY 07054
TEL.: (973) 683-2157

Alan M. Gordon

SIGNATURE

ALAN M. GORDON

NAME

30,637

REGISTRATION NUMBER

March 16, 2000

DATE

09508941 031600

33,359-01P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Stephen A. Udem et al.
Serial No. : To be Assigned (entry into U.S. National
Stage from PCT/US98/19145)
Filed : March 16, 2000
For: : Attenuated Respiratory Syncytial Viruses
Examiner : To be Assigned
Group Art Unit : To be Assigned

BOX PATENT APPLICATION
Hon. Assistant Commissioner
for Patents
Washington, D.C. 20231

STATEMENT UNDER 37 C.F.R. 1.821(f)

Sir:

I hereby certify that the content of the paper copy required by 37 C.F.R. 1.821(c) and the computer readable form required by 37 C.F.R. 1.821(e) of the Sequence Listings for the above-captioned PCT patent application as filed are the same.

Respectfully submitted,

Alan M. Gordon

Alan M. Gordon
Registration No. 30,637
American Home Products Corp.
Patent Law Department - 2B
One Campus Drive
Parsippany, NJ 07054
(973) 683-2157
Attorney for Applicants

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CERTIFICATION UNDER 37 C.F.R. 1.10

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL251674792US addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

*March 16, 2000*

Date

*Alan M. Gordon*

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